

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DAVID SIDOO et al.,

Defendants.

No. 1:19-cr-10080-NMG

**DEFENDANT JOHN WILSON'S MOTION FOR LEAVE TO FILE  
REVISED REPLY IN SUPPORT OF HIS MOTION FOR RELIEF BASED  
ON THE GOVERNMENT'S IMPROPER SEARCH AND SEIZURE  
OF EMAILS**

Defendant John Wilson has moved for suppression and other relief based on severe improprieties in the government's application for, and execution of, a warrant to search Wilson's email mailbox (the "Motion for Relief"). In support of the Motion for Relief, on October 15, 2020, Wilson moved for leave to file a reply (the "Motion to Reply"), attaching a proposed reply brief (the "Original Reply").

The Court entered a Notice holding the Motion to Reply in abeyance, instructing Wilson to serve the government with versions of his previously-ex-parte supporting declarations, and permitting the government to respond to those declarations. Wilson served and filed the revised affidavits; the government responded on October 30, 2020 with a brief, an affidavit, and exhibits.

To streamline the briefing on the Motion for relief, Wilson hereby renews his Motion to Reply, but seeks the Court's leave to replace the Original Reply with a revised brief (the "Revised Reply"), which will include Wilson's rejoinder to the government's October 30, 2020 submissions. Wilson proposes to file the Revised Reply by November 6, 2020, and to limit its length to the length of the Original Reply, namely 16 pages.

In its October 30, 2020 submissions, the government does not dispute that it used the search warrant to retain, review, and produce thousands of emails both unrelated to this prosecution and severely injurious to Wilson's privacy. Yet the government asks the Court to ignore its unlawful attack on Wilson's rights on the basis that Wilson—in an effort to mitigate the injuries to his privacy and strategy—has limited the number of illustrative emails attached to his submissions. To establish a clear record of the government's conduct, Wilson therefore seeks the Court's leave to file, alongside his publicly submitted Revised Reply, a sealed sampling of additional emails among those that the government has improperly deemed responsive to the warrant. Wilson will serve a copy of this set of emails on the government.

Respectfully submitted,

John Wilson,

By his Counsel,

/s/ Michael Kendall

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